

REMARKS

Reconsideration of the subject application is respectfully requested.

Claims 74 through 159 are pending, with Claims 74, 76 through 80, 103, 104, 107 through 109, 124 through 126, 128, 129, 134 through 144, and 154 through 159 being independent.

The Official Action set forth an Election of Species Requirement between Species I (“including separating the semiconductor substrate”) and Species II (“including annealing the anodized substrate in a hydrogen atmosphere”), with Claims 88 through 90, 105, 114, 115, and 113 being said to “link inventions I and II”. This Requirement is respectfully traversed.

Applicants provisionally elect Species I with traverse, and submit that at least Claims 74 through 102, 105 through 123, 127 through 139, 142 through 155, and 157 through 159 (all of which recite “separating”) are readable thereupon (it will be appreciated that of the foregoing claims, Claims 88 through 91, 105, 106, 114, 115, 127, and 133 recite both “separating” and “annealing”).

However, Applicants respectfully request that the Election of Species Requirement be withdrawn. Applicants respectfully submit that the Election of Species Requirement is not consistent with prior U.S. Patent and Trademark Office treatment of the matter. The Office has already issued no less than three patents that contain both (a) claims that recite “separating” and (b) claims that recite “annealing”, as shown in the following

Table:

TABLE

Patent No.	Claims reciting “separating”, e.g.:	Claims reciting “annealing”, e.g.:
6,107,213	1, 2, 20	19
6,326,280	1, 2, 4	3
6,426,274	1, 2, 13, 14, 16-18	15

Yet no Election of Species Requirement was maintained in those three cases. Applicants have simply copied claims from these patents for purposes of provoking an interference with them. Applicants should not be subject to the prejudice inherent in being accorded treatment respectfully believed to be inconsistent with prior multiple Office decisions. Neither Applicants nor the Office should be put through the trouble and expense entailed in multiple filings and prosecutions. The making of an Election of Species Requirement is not mandatory in all instances, and Applicants respectfully submit it is inappropriate in this instance. In view of the foregoing, in the interests of prosecution and economy of time, for Applicants, the Office, and the public-at-large, reconsideration and withdrawal of the Election of Species Requirement is respectfully requested.

REQUEST FOR INTERVIEW

Applicants respectfully request that the Examiner contact Applicants' undersigned representative to schedule a personal interview to discuss the foregoing and the proposed interference.

Respectfully submitted,



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